

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)
37070/205236

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on January 24, 2005.

Signature *Sandee Whitley*

Typed or printed name Sandee Whitley

In re Application of

Bell, et al.

Application Number

09/932,538

Filed

August 17, 2001

For **CALCIUM PHOSPHATE PARTICLES AS MUCOSAL ADJUVANTS**

Art Unit
1645

Examiner
Zeman, R.

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ _____

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ 250.00

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 11-0855. I have enclosed a duplicate copy of this sheet.

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

applicant/inventor.

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

attorney or agent of record.

Registration number 46,895.

attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. _____

Kristin Crall

Signature

Kristin M. Crall

Typed or printed name

404-815-6147

Telephone number

January 24, 2005

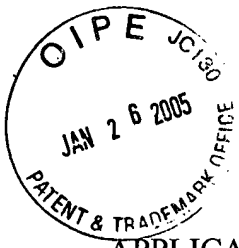
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of _____ forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

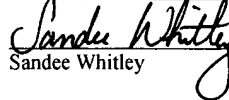
APPLICANTS: Bell, et al.
SERIAL NO.: 09/932,538 GROUP ART UNIT: 1645
FILED: August 17, 2001 EXAMINER: Zeman, R.
FOR: CALCIUM PHOSPHATE PARTICLES AS MUCOSAL ADJUVANTS

DATE: January 24, 2005
Attorney Docket No.: 37070/205236

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING


I hereby certify that this document, together with any document referred to as enclosed or attached, is being forwarded to the Commissioner for Patents, Alexandria, VA 22313, via facsimile on this 24th day of January, 2005.


Sandee Whitley

NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants appeal the decision of Examiner Zeman, finally rejecting the claims in the above-identified application by the final Office action mailed August 24, 2004. The fee for filing a Notice of Appeal under 37 C.F.R. §1.17(e) of \$250.00 is enclosed. If this fee is insufficient, please charge our Deposit Order Account Number 11-0855.

Respectfully submitted,


Kristin M. Crall
Reg. No. 46,895

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